

TRANSMITTAL

Application No.: 10/533,541
 Filing Date: April 29, 2005
 First Named Inventor: Erick Von Schweber
 Examiner's Name: Not Yet Assigned
 Art Unit: Not Yet Assigned
 Confirmation No.: 9446
 Attorney Docket No.: 6266P001

An Amendment After Final Action (37 CFR 1.116) is attached and applicant(s) request expedited action.

Charge any fee not covered by any check submitted to Deposit Account No. 02-2666.

Applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 CFR 1.16 and 1.17, for any concurrent or future reply to Deposit Account No. 02-2666.

Applicant(s) claim small entity status (37 CFR 1.27).

ATTACHMENTS

Postcard (Return Receipt)

Fee Transmittal Document (that includes a fee calculation based on the type and number of claims)

Check No. 1409 In the Amount of \$ 65.00.

Petition for Extension of Time

Response to Missing Requirements under 35 USC 371

Amendment/Response with respect to Office Action

Amendment/Response After Final Action (37 CFR 1.116) (reminder: consider filing a Notice of Appeal)

Notice of Appeal

RCE (Request for Continued Examination)

Supplemental Declaration

Terminal Disclaimer (reminder: if executed by an attorney, the attorney must be properly of record)

Information Disclosure Statement (IDS)

Copies of IDS citations

Cross-Reference to Related Application(s)

Other: Executed Declaration

Other: Copy of Notice

Other: Written Assertion of Small Entity Status

SUBMITTED BY:

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TYPED OR PRINTED NAME: Kevin G. Shao

SIGNATURE: 

REG. NO.: 45,095

DATE: November 16, 2005

ADDRESS: 12400 Wilshire Boulevard, Seventh Floor

Los Angeles, California 90025

TELEPHONE NO.: (408) 720-8300

CERTIFICATE OF MAILING BY FIRST CLASS MAIL (if applicable)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria Virginia 22313-1450 on November 16, 2005

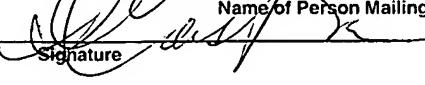
Date of Deposit

David Castro

Name of Person Mailing Correspondence

November 16, 2005

Date


Signature

FEE TRANSMITTAL FOR FY 2005

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

TOTAL AMOUNT OF PAYMENT (\$) 65.00

Complete if Known:

Application No. 10/533,541
 Filing Date April 29, 2005
 First Named Inventor Erick Von Schweber
 Examiner Name Not Yet Assigned
 Confirmation No. 9446
 Art Unit Not Yet Assigned
 Attorney Docket No. 6266P001

Applicant claims small entity status. See 37 CFR 1.27.

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify)

Deposit Account

Deposit Account Number : 02-2666

Deposit Account Name: _____

The Director is Authorized to do the following with respect to the above-identified Deposit Account:

Charge fee(s) indicated below.

Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.

Charge fee(s) indicated below except for the filing fee

Credit any overpayments.

Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

Warning: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Large Entity	Small Entity	Fee	Fee	Fee	Fee	Fee Description	Fees Paid (\$)
Fee Code	Fee Code	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)		
1011	300	2011	150	Utility application filing fee			
1111	500	2111	250	Utility search fee	1,000/500		
1311	200	2311	100	Utility examination fee			
1012	200	2012	100	Design application filing fee			
1112	100	2112	50	Design search fee	430/215		
1312	130	2312	65	Design examination fee			
1013	200	2013	100	Plant filing fee			
1113	300	2113	150	Plant search fee	660/330		
1313	160	2313	80	Plant examination fee			
1004	300	2004	150	Reissue filing fee			
1114	500	2114	250	Reissue search fee	1,400/700		
1314	600	2314	300	Reissue examination fee			
1005	200	2005	100	Provisional application filing fee			
SUBTOTAL (1) \$ <u>0.00</u>							

2. EXCESS CLAIM FEES

				<u>Extra Claims</u>	<u>Fee from below</u>	<u>Fees Paid (\$)</u>
Total Claims		– 20 or HP =		X \$50.00	=	
HP = highest number of total claims paid for, if greater than 20						
Independent Claims		– 3 or HP =		X \$200.00	=	
HP = highest number of independent claims paid for, if greater than 3						
Multiple Dependent Claims					=	
Large Entity	Small Entity					
Fee	Fee	Fee	Fee			
Code	(\$)	Code	(\$)	Fee Description		
1202	50	2202	25	Each claim over 20		
1201	200	2201	100	Each independent claim over 3		
1203	360	2203	180	Multiple dependent claims, if not paid		
1204	200	2204	100	Reissue: each claim over 20 and more than in the original patent		
1205	50	2205	25	Reissue: each independent claim more than in the original patent		
SUBTOTAL (2) \$						0.00

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each add'l 50 or fraction thereof</u>	<u>Fee from below</u>	<u>Fees paid (\$)</u>
_____	– 100 = _____ / 50 = _____ (round up to whole number)	X \$250.00	_____	0.00

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description: Application size fee for each additional group of 50 sheets beyond initial 100 sheets (count spec & drawings except sequences & program listings):</u>
Fee	Fee	Fee Description: Application size fee for each additional group of 50 sheets beyond initial 100 sheets (count spec & drawings except sequences & program listings):
Code	(\$)	
1081	250	Utility
1082	250	Design
1083	250	Plant
1084	250	Reissue

SUBTOTAL (3) \$

0.00

FEE CALCULATION (continued)4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Fees Paid (\$)

<u>Large Entity</u>		<u>Small Entity</u>		
Fee	Fee	Fee	Fee	<u>Fee Description</u>
Code	(\$)	Code	(\$)	
1051	130	2051	65	Surcharge - late filing fee or oath
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet
1053	130	1053	130	Non-English specification
1812	2,520	1812	2,520	For filing a request for ex parte reexamination
1813	8,800	1813	8,800	Request for inter parties reexamination
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action
1251	120	2251	60	Extension for reply within first month
1252	450	2252	225	Extension for reply within second month
1253	1,020	2253	510	Extension for reply within third month
1254	1,590	2254	795	Extension for reply within fourth month
1255	2,160	2255	1,080	Extension for reply within fifth month
1401	500	2401	250	Notice of Appeal
1402	500	2402	250	Filing a brief in support of an appeal
1403	1,000	2403	500	Request for oral hearing
1451	1,510	1451	1,510	Petition to institute a public use proceeding
1452	500	2452	250	Petition to revive - unavoidable
1453	1,500	2453	750	Petition to revive - unintentional
1501	1,400	2501	700	Utility issue fee (or reissue)
1502	800	2502	400	Design issue fee
1503	1100	2503	550	Plant issue fee
1462	400	1462	400	Petitions to the Commissioner (CFR 1.17(f) Group I)
1463	200	1463	200	Petitions to the Commissioner (CFR 1.17(g) Group II)
1464	130	1464	130	Petitions to the Commissioner (CFR 1.17(h) Group III)
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)
1806	180	1806	180	Submission of Information Disclosure Stmt
8021	40	8021	40	Recording each patent assignment per property (times number of properties)
1809	790	2809	395	For filing a submission after final rejection (see 37 CFR 1.129(a))
1814	130	2814	65	Statutory Disclaimer
1810	790	2810	395	For each additional invention to be examined (see 37 CFR 1.129(b))
1801	790	2801	395	Request for Continued Examination (RCE)
1802	900	1802	900	Request for expedited examination of a design application
1504	300	1504	300	Publication fee for early, voluntary, or normal pub.
1505	300	1505	300	Publication fee for republication
1803	130	1803	130	Request for voluntary publication or republication
1808	130	1808	130	Processing fee under 37 CFR 1.17(i) (except provisionals)
1454	1,370	1454	1,370	Acceptance of unintentionally delayed claim for priority

Other fee (specify) _____

Other fee (specify) _____

SUBTOTAL (4) \$ 65.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:

Typed or Printed Name: Kevin G. Shao

Signature: K. G. Shao Date: November 16, 2005

Reg. Number: 45,095 Telephone Number: 408-720-8300

11/28/2005 ATRANI 0000089 10533541
Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

01 FC:2617

65.00 OP

10/533,541

- 3 -

6266P001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:)
Erick Von Schweber) Examiner: Not Yet Assigned
Serial No.: 10/533,541) Art Unit: Not Yet Assigned
Filed: April 29, 2005) Conf. No.: 9446
For: A METHOD AND APPARATUS FOR)
INFORMATION SURVEYING)
)

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

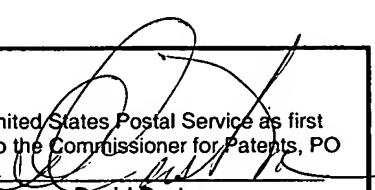
**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Sir:

In response to the Notification of Missing Requirements mailed September 16, 2005,
please find enclosed:

- (1) a check in the amount of \$65.00 in payment of the surcharge of 37 C.F.R. § 1.492(h) made by a small entity (§ 1.27(a));
- (2) a duly executed Declaration and Power of Attorney with respect to the above-referenced patent application;
- (3) a copy of the Notification of Missing Requirements; and
- (4) a Written Assertion of Small Entity Status under 37 C.F.R. 1.27(c).

FIRST CLASS CERTIFICATE OF MAILING

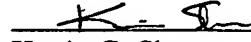
I, David Castro, hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to Mail Stop Amendment to the Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450 on 11/16/2005 by: 
David Castro

If any additional fee is required, please charge Deposit Account No. 02-2666. A duplicate of this Response is enclosed for deposit account charging purposes.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP

Dated: November 16, 2005


Kevin G. Shao
Reg. No. 45,095

12400 Wilshire Blvd.
Seventh Floor
Los Angeles, CA 90025
(408) 720-8300

ENTERED

SEP 23 2005
STATUE

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

TNP
Erick + Linda

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/533,541	Erick Von Schweber	6266P001

INTERNATIONAL APPLICATION NO.

PCT/US03/36136

I.A. FILING DATE	PRIORITY DATE
11/14/2003	11/15/2002

Blakely Sokoloff Taylor & Zafman
12400 Wilshire Boulevard
7th Floor
Los Angeles, CA 90025

RECEIVED

SEP 22 2005

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
LOS ANGELES

CONFIRMATION NO. 9446

371 FORMALITIES LETTER



OC000000017035193

Date Mailed: 09/16/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/29/2005
- Copy of the International Search Report filed on 04/29/2005
- Copy of IPE Report filed on 04/29/2005
- Preliminary Amendments filed on 04/29/2005
- Information Disclosure Statements filed on 04/29/2005
- Copy of references cited in ISR filed on 04/29/2005
- U.S. Basic National Fees filed on 04/29/2005
- Priority Documents filed on 04/29/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

• \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DEBORAH D WILLIAMS

Telephone: (703) 308-9140 EXT 205

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/533,541	PCT/US03/36136	6266P001

FORM PCT/DO/EO/905 (371 Formalities Notice)